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SUBJECT: DIAG COMMITTEE'S FINAL RECOMMENDATIONS FOR
CANDIDATE VETTING

REF: A. KABUL 1274
[1](#)B. KABUL 1406

[1](#)1. (SBU) SUMMARY: To discuss the results of the candidate vetting process, National Security Advisor Zalmay Rassoul hosted a meeting on June 7 for Minister of Interior Atmar, Minister of Defense Wardak, Vice-Chair of the Demobilization and Reintegration Commission Mohammed Stanekzai, Independent Directorate for Local Governance (IDLG) Deputy Barna Karimi, UNAMA DSRSG Peter Galbraith and Ambassadors from the Embassies of Japan, Canada, the UK and the United States. Stanekzai presented the results of the Demobilization and Reconciliation Commission's (DRC) re-vetting of candidates who challenged their links to illegallyed groups (IAG) or began the formal disarmament process after receiving notification of possible disqualification of candidacy. On June 8, the DRC will recommend to the ECC that two presidential or vice-presidential (VP) and 59 provincial council (PC) candidates be excluded from the final candidate list based on continuing links to IAGs. The group concurred that working within the legal structure is critical, noting the flaws of the current system. The ECC may eliminate other candidates based on criminal convictions. END SUMMARY.

IDENTIFYING IAG CONNECTIONS

[1](#)2. (SBU) Rassoul opened the meeting by citing numbers: out of 43 presidential candidates and 86 vice-presidential candidates, the DRC identified four individuals with possible IAG connections. From the initial 3,324 provincial council candidates, the DRC found 112 individuals had possible IAG connections. DRC's initial review of the candidate lists was completed and reported to the international community on May 18 (ref A).

[1](#)3. (SBU) On May 23, the DRC began notifying candidates with potential IAG ties of the challenge to their candidacy. Stanekzai reported that notification to all candidates was completed on June 3, as the DRC faced many difficulties in contacting candidates, noting incorrect phone and address information provided on candidate application forms. The DRC, with ECC monitoring, used all available means to ensure individuals received notification of IAG related challenges to candidacy; phone calls, e-mails, delivery by provincial governors or chiefs of police and even PRT assistance. The DRC documented all attempts to contact individuals to prevent subsequent denials of receipt of notification.

[1](#)4. (SBU) Candidates disqualified by the initial IAG review had five days to respond to the notification (ref B). If listed as active IAG members, disqualified candidates could withdraw from the race, present evidence to provincial DIAG offices that they have already cut ties to IAGs, or begin the formal disarmament process through provincial DIAG offices. The DRC re-vetted candidates who challenged their IAG connection or began to formally disarm.

PRESIDENTIAL AND VP CANDIDATES

¶15. (SBU) Stanekzai detailed the DRC findings in the cases of four presidential and VP candidates, emphasizing that the DRC must have sufficient evidence to support its recommendations to the ECC. The DRC will recommend the ECC disqualify presidential candidate Mohammad Akbar Bai and VP candidate Zai-u-din. Akbar Bai, a rival of former Uzbek warlord Dostum, responded to the DRC challenge by denying ownership of illegal weapons or ongoing ties to IAG groups. Based on evidence from security and intelligence agencies showing continuing ties to illegally armed groups, the DRC will stand firm on the negative recommendation. For Badghis-based Zia-u-din (on the ticket of presidential aspirant Sangin Mohammed Rahmani), security agency information again demonstrated ongoing ties to IAG groups despite the candidate's claim of disarmament.

¶16. (SBU) The DRC will not recommend disqualification in the cases of presidential candidates Mullah Abdul Salam Rakti and Haji Abdul Ghafar Zori. Stakenzai asserted that the DRC has insufficient evidence of ongoing ties to IAGs and stressed the disqualifying factor of current, not historical, activities. Rakti contested ongoing links with IAGs, providing DRC with evidence of weapons previously turned in to U.S. and Afghan authorities) including four Stingers. Zori also disputed current links to IAGs, maintaining that he formally disarmed in 2005. Afghan security and intelligence agencies were unable to provide additional information in either case demonstrating current IAG links.

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¶17. (SBU) Stanekzai asserted that recommending disqualification of candidates without sufficient supporting evidence would discredit the vetting process to the Afghan people, noting the important role of DIAG vetting in the 2010 district council and parliamentary elections. He declared the DRC could not judge a candidate's moral background but must rely on current evidence. Wardak concurred, and stressed the legal restrictions on vetting. He emphasized the burden of proof required to disqualify an individual, noting that a conviction is required to eliminate a candidate for criminal actions and the difficulties the ECC faces in providing the second nationality for candidates accused of dual citizenship. The international community representatives agreed that the process must comply with the letter and spirit of the existing law, but suggested legal revisions could improve the process.

PROVINCIAL COUNCIL CANDIDATES

¶18. (SBU) For the 112 provincial council (PC) candidates initially challenged for IAG ties, the DRC will recommend 59 for disqualification. Two candidates proved that they were not the targeted individual. For 51 candidates, the DRC either lacks evidence of continuing ties to IAGs or the candidates began formally disarming. The DRC will not recommend the ECC exclude these candidates. Over 245 illegal weapons were turned-in by candidates since the notification process began. Some candidates not found ineligible by the DIAG list are voluntarily disarming. In Jowzjan, one candidate surrendered 80 weapons to prevent possible future problems. One instance of success is the DRC's recommendation to exclude two Helmand candidates, Abdul Rahman Jan and Amir Mohammad Akhundzada, both known to Post to have ties to IAG groups.

¶19. (SBU) Stanekzai explained that in addition to formally surrendering weapons, the weapons are verified by Afghan authorities, and the candidates must sign a declaration that they own no other illegal weapons. The DRC then works with

local authorities to assess the individual's situation and ties to IAGs and the final decision is based on the complete situation. He cited the example of Badghis PC candidate Haji Khan Mohammad who turned in 100 weapons after being notified of his DRC challenge. Subsequent investigation by Afghan security agencies suggested that the weapons surrendered represented only a fraction of those owned by Khan and the DRC recommended his removal from the candidate list.

NEXT STEPS AND CONCERNS

¶10. (SBU) Atmar suggested to the group the need for an agreement with the Independent Election Commission (IEC) and the ECC on consequences for candidates who falsely claim to have disarmed. He proposed the Afghan government, in coordination with UNAMA, should petition the courts for legal authorization to search the property of candidates who have signed a declaration disavowing illegal weapons, where there is doubt about compliance. If illegal weapons are found, the ECC could disqualify that candidate regardless of when the weapons are found) even post polling day he believed. Ambassador Carney noted that any such policy would require a basis in the electoral law.

DUAL CITIZENSHIP CONCERNS

¶11. (SBU) Atmar also raised an upcoming issue for the ECC - identifying presidential candidates who hold dual citizenship. The Afghan constitution forbids presidential and VP candidates from holding dual nationality. However, the ECC has not yet established a mechanism to determine if a candidate holds dual citizenship. Ambassador Carney and the UK and Canadian ambassadors stressed that each country's privacy laws restricted the release of information without specific consent from the individual. Atmar and Rassoul speculated about including such authorization as part of a required form for candidates; no decision was reached.
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